

Administration of Barack Obama, 2015

**Message to the House of Representatives Returning Without Approval the
National Defense Authorization Act for Fiscal Year 2016**

October 22, 2015

To the House of Representatives:

I am returning herewith without my approval H.R. 1735, the "National Defense Authorization Act for Fiscal Year 2016." While there are provisions in this bill that I support, including the codification of key interrogation-related reforms from Executive Order 13491 and positive changes to the military retirement system, the bill would, among other things, constrain the ability of the Department of Defense to conduct multi-year defense planning and align military capabilities and force structure with our national defense strategy, impede the closure of the detention facility at Guantanamo Bay, and prevent the implementation of essential defense reforms.

This bill fails to authorize funding for our national defense in a fiscally responsible manner. It underfunds our military in the base budget, and instead relies on an irresponsible budget gimmick that has been criticized by members of both parties. Specifically, the bill's use of \$38 billion in Overseas Contingency Operations funding—which was meant to fund wars and is not subject to budget caps—does not provide the stable, multi-year budget upon which sound defense planning depends. Because this bill authorizes base budget funding at sequestration levels, it threatens the readiness and capabilities of our military and fails to provide the support our men and women in uniform deserve. The decision reflected in this bill to circumvent rather than reverse sequestration further harms our national security by locking in unacceptable funding cuts for crucial national security activities carried out by non-defense agencies.

I have repeatedly called upon the Congress to work with my Administration to close the detention facility at Guantanamo Bay, Cuba, and explained why it is imperative that we do so. As I have noted, the continued operation of this facility weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening violent extremists. Yet in addition to failing to remove unwarranted restrictions on the transfer of detainees, this bill seeks to impose more onerous ones. The executive branch must have the flexibility, with regard to those detainees who remain at Guantanamo, to determine when and where to prosecute them, based on the facts and circumstances of each case and our national security interests, and when and where to transfer them consistent with our national security and our humane treatment policy. Rather than taking steps to bring this chapter of our history to a close, as I have repeatedly called upon the Congress to do, this bill aims to extend it.

The bill also fails to adopt many essential defense reforms, including to force structure, weapons systems, and military health care. Our defense strategy depends on investing every dollar where it will have the greatest effect. My Administration's proposals will accomplish this through critical reforms that divest unneeded force structure, slow growth in compensation, and reduce wasteful overhead. The restrictions in the bill would require the Department of Defense to retain unnecessary force structure and weapons systems that we cannot afford in today's fiscal environment, contributing to a military that will be less capable of responding effectively to future challenges.

Because of the manner in which this bill would undermine our national security, I must veto it.

BARACK OBAMA

The White House,
October 22, 2015.

Categories: Bill Signings and Vetoes : National Defense Authorization Act for Fiscal Year 2016, veto message.

Subjects: Armed Forces, U.S. : Force structure, reform; Budget, Federal : Government programs, spending reductions; Cuba : Guantanamo Bay, U.S. Naval Base :: Closure of detention facilities; Defense, Department of : Funding; Legislation, proposed : National Defense Authorization Act for Fiscal Year 2016; Terrorism : Terrorists :: Interrogation procedures; Terrorism : Transfer of detainees at Guantanamo Bay.

DCPD Number: DCPD201500750.